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Personnel and Labor Relations Study Comm



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PERSONNEL AND LABOR RELATIONS STUDY COMMISSION

## MISSION

The Personnel and Labor Relations Study Commission was established by order of Governor Ted Schwinden (Executive Order 25-81) to study and make recommendations to the governor and legislature on methods for improving the personnel and labor relations programs in Montana. The Commission is composed of three members each from the legislative branch, the executive branch, the private sector, and organized labor plus Chairman Representative Francis Bardanoue. The Commission is charged with making recommendations on such issues as, but not limited to:

- a. Whether current state employee compensation and classification practices ensure inter-agency equity and serve to attract and retain qualified and competent employees needed by state government.
- b. Whether positive and efficient management consistent with the concept of merit and equitable treatment of employees is fostered by the personnel systems existing in the agencies of state government.
- c. Whether the adoption of more incentives and more opportunities for career development can foster increased employee productivity, initiative, and job interest.
- d. Whether the actual operation of the Collective Bargaining for Public Employees Act (Title 39, Chapter 31, MCA) is workable and is accomplishing the purposes of the act.
- e. Whether the state's grievance procedures, including the role of the Board of Personnel Appeals in resolving classification disputes, meet the needs of state employees and managers.

## SCHEDULE OF MEETINGS

Normal meeting place - Health Department Conference Room, 2nd Floor of the Cogswell Building - New Section, 1400 Broadway

Normal starting time - 9:00 a.m.

### 1ST MEETING

DATE: NOVEMBER 12, 1981

### PURPOSE - PLANNING

The Commission identified and prioritized the issues to be examined, and formulated the preliminary study questions listed below. The Commission also adopted a tentative schedule of meetings and a tentative budget including provision for three staff members - a project director, a research assistant, and secretary.

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## 2ND MEETING

DATE: JANUARY 5, 1982

PURPOSE - TO EXAMINE THE ROLE OF THE BOARD OF PERSONNEL APPEALS

### Study Questions:

1. Should the Board's statutory grievance appeal procedures for only two state agencies be continued? Are statutory grievance appeal mechanisms for employees of only two state agencies unfair to employees of other agencies? Does responsibility for both employee grievances and unfair labor practices result in confusion in roles? Do employee grievance handling responsibilities interfere with the Board's primary role as the State's labor board?
2. Is fact finding effective and timely? If not, how can it be expedited?
3. Does the composition of the Board result in most decisions being made by the neutral chair? If so, how should the composition be altered to promote more collective decision making?
4. Is the Board getting their decisions out in five months as required by statute? If not, what can be done to expedite the process?
5. Is the Board effective in its role as appeals body for classification appeals? What effect does the appeals process have on the classification system? Does this function interfere with the Board's primary role as the State labor board?
6. Are Board decisions consistent with the Board's statutory authority?
7. Should Board decisions be published?

### Agenda Items:

- Staff report (distributed in advance to Board of Personnel Appeals' members, staff, and constituents, and to other interested parties)
- Response by Board of Personnel Appeals
- Public hearing (including all constituents of the Board)
- Commission deliberations
- Old and new business

## 3RD MEETING

DATE: FEBRUARY 2, 1982

PURPOSE - TO EXAMINE THE COLLECTIVE BARGAINING RESPONSIBILITIES OF THE LEGISLATIVE AND EXECUTIVE BRANCHES

### Study Questions:

8. What should be the respective roles of the executive branch and legislative branch? How much control should the legislature have over negotiated agreements - no control? some control? complete control?

9. Should any control the legislature might have be confined to economic issues or should it include non-economic contract items?
10. Do two sets of negotiations - one for economic items, one for non-economic contract items limit the ability of negotiating parties to bargain effectively, i.e. bargain economic benefits for non-economic benefits and vice versa? Is the current split in negotiations good public policy? Is it the most economical arrangement?

Agenda Items:

- Old business - deliberations on previous meeting
- Staff reports (distributed to interested parties in advance)
- Presentations by invited guests (including presentations by interested members of the legislative leadership, the Select Committee on Employee Pay, union leaders, and other interested parties)
- Public hearing
- Commission deliberations
- New business

4TH MEETING

DATE: MARCH 2, 1982

PURPOSE - TO EXAMINE IMPASSE RESOLUTION METHODS

Study Question:

11. Are present impasse resolution methods working? What are other impasse resolution methods which could or should be utilized? What are their pros and cons?

Agenda Items:

- Old business - deliberations on previous meetings and follow-up presentations by selected legislative and executive branch spokesmen from other states on procedures used to minimize executive branch/legislative branch conflicts over negotiated settlements
- Staff reports (distributed in advance)
- Public hearing including presentations by interested members of Board of Personnel Appeals, labor leaders
- New business

5TH MEETING

DATE: APRIL 1, EVENING AND  
APRIL 2, 1982

PURPOSE - TO EXAMINE THE STATE CLASSIFICATION AND PAY SYSTEM

Tentative Study Questions:

12. Are the job evaluation methods for classification of state jobs technically sound, easy to use and understand, and do they produce equity among jobs? If not, should an effort be made to change and improve them or should they be completely replaced? What other job evaluation methods would be better?
13. Should the state continue developing different classification and/or pay plans to accommodate differences in broad occupational areas, i.e. plans for management, blue collar workers, etc., or should the state attempt to maintain one uniform pay plan?
14. What should the state's pay philosophy be? Prevailing rate compensation? Merit based compensation? Equal pay for work of equal difficulty and responsibility? Should pay increases be the same for all employees - those in and outside of bargaining units? Should the method for granting salary increases vary for different categories of employees? For example, merit based increases for professional/managerial employees; longevity increases for others?
15. Is the state's benefit package competitive? Is it excessive? Are employees sufficiently aware of these benefits? Do they promote employee satisfaction or would greater take home pay be preferred? What mechanism would be needed? Are there other benefits which may or may not cost money that would improve the package?

#### Agenda Items:

- April 1, 7:00 p.m.: Public hearing (Highway Department Auditorium)
- April 2, beginning at 9:00 a.m.: Report by independent review team (Cogswell Building Auditorium)
- Staff reports (distributed in advance)
- New business

#### 6TH MEETING

TENTATIVE DATE: MAY 4, 1982

PURPOSE - TO EXAMINE THE RECRUITMENT, SELECTION, DEVELOPMENT, AND MANAGEMENT OF STATE EMPLOYEES

#### Tentative Study Questions:

16. Are current recruitment practices attractive the best qualified applicants for the least cost? Are conventional recruitment practices as effective as they could be in attracting professional and skilled applicants for hard to fill positions? Would specialized recruitment for these positions reduce the need for pay plan exceptions (higher starting salaries) to attract qualified applicants? Would greater recruitment planning to target the best source of job skills for all state jobs improve the quality of state employees and reduce recruitment costs? What type of recruitment assistance to state agencies would be needed for optimal recruitment practices?

17. Are current selection practices resulting in the selection of the most capable applicants for state jobs? Would other selection procedures result in a more capable state work force and/or reduce selection costs? What type of assistance to state agencies would be required for optimal selection procedures?
18. Are state managers receiving sufficient training for optimal performance? Are managers and supervisors adequately trained in management and supervision skills to manage/supervise for maximum productivity? Do other state employees receive the skills training they need for best job performance? What are the state training deficiencies? How can they be most cost-effectively corrected?
19. Should all state agencies be required to implement a performance appraisal system to assure: (a) that managers (in cooperation with employees) are planning work for their unit and setting employee performance standards; (b) that employees know what their performance standards are; and (c) that employees (including mid-managers) are held accountable for achieving these standards; and (d) that obstacles to achievement are identified so they can be removed.
20. Should the state have more performance based incentives? Aside from performance based pay, would a non-monetary program to recognize meritorious service provide significant performance incentives? Should measures be taken to assure that the one currently available incentive promotion is a more effective incentive? Should the state promote from within where possible? Should there be a program to assist agencies in assessing the management potential of their employees?
21. Do current state policies serve as appropriate guides to state personnel management? Do they promote procedures that contribute to employee motivation and productivity? Do they provide sufficient latitude to the agencies as well as provide sufficient employee protection? Should the current practice of adopting minimum standards as rules and delegation of authority to state agencies for more specific rules or policies be continued?

Tentative Agenda Items:

- Old business, deliberation on previous meeting
- Staff reports (distributed in advance)
- Public hearing
- New business

7TH MEETING

PURPOSE - TO EXAMINE THE ADVISABILITY OF THE CURRENT DUAL EXECUTIVE BRANCH/  
UNIVERSITY SYSTEM COLLECTIVE BARGAINING RESPONSIBILITY AND THE  
ADVISABILITY OF THE CURRENT SEPARATE COLLECTIVE BARGAINING  
STATUTES FOR NURSES AND FIRE FIGHTERS

TENTATIVE DATE: JULY 6, 1982

Tentative Study Questions:

22. Should there be a single collective bargaining function in the executive branch?
23. Should the state incorporate pertinent sections of the statutes covering nurses and fire fighters into the Collective Bargaining for Public Employees statutes to avoid any question or argument over applicability of the statutes?

Tentative Agenda Items:

Same as above.

8TH MEETING

TENTATIVE DATE: SEPTEMBER 7, 1982

PURPOSE - FOLLOW-UP MEETING FOR AREAS REQUIRING GREATER COVERAGE AND COMMISSION ADOPTION OF DRAFT RECOMMENDATIONS

9TH MEETING

TENTATIVE DATE: NOVEMBER 2, 1982

PURPOSE - PUBLIC HEARING ON DRAFT RECOMMENDATIONS AND ADOPTION OF FINAL COMMISSION RECOMMENDATIONS

A final written report including specific recommendations will be submitted to the governor by December 1 of 1982. Copies should be available for general distribution by December 15, 1982.

For copies of the final report, minutes, interim staff reports, or other information, please contact:

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